

LEGISLATURE OF NEBRASKA
NINETY-NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 414

Introduced by Combs, 32; Baker, 44; Cunningham, 40; Erdman, 47; Dw.
Pedersen, 39; Price, 26; Smith, 48

Read first time January 12, 2005

Committee: Urban Affairs

A BILL

1 FOR AN ACT relating to natural gas; to amend section 66-1802,
2 Reissue Revised Statutes of Nebraska; to change
3 provisions relating to the State Natural Gas Regulation
4 Act; to redefine natural gas public utility; and to
5 repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 66-1802, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 66-1802. For purposes of the State Natural Gas
4 Regulation Act:

5 (1) Agricultural ratepayer means a ratepayer whose usage
6 of natural gas does not qualify the ratepayer as a high-volume
7 ratepayer and (a) whose principal use of natural gas is for
8 agricultural crop or livestock production, irrigation pumping, crop
9 drying, or animal feed or food production or (b) whose service is
10 provided on an interruptible basis;

11 (2) BTU means the amount of energy necessary to raise the
12 temperature of one pound of water one degree Fahrenheit;

13 (3) City means any city or village in the State of
14 Nebraska;

15 (4) Commission means the Public Service Commission;

16 (5) Gas gathering system means a natural gas pipeline
17 system used primarily for transporting natural gas from a wellhead,
18 or from a metering point for natural gas produced by one or more
19 wells, to a point of entry into a main transmission line;

20 (6) General rate filing means any filing which requests
21 changes in overall revenue requirements for a jurisdictional
22 utility;

23 (7) High-volume ratepayer means a ratepayer whose natural
24 gas requirements equal or exceed five hundred therms per day as
25 determined by average daily consumption;

26 (8) Interstate pipeline means any corporation, company,
27 individual, or association of persons or their trustees, lessees,
28 or receivers engaged in natural gas transportation subject to the

1 jurisdiction of the Federal Energy Regulatory Commission under the
2 federal Natural Gas Act, 15 U.S.C. 717 et seq., as such act existed
3 on January 1, 2003;

4 (9) Intrastate natural gas utility business means all of
5 that portion of the business of a natural gas public utility over
6 which the commission has jurisdiction under the State Natural Gas
7 Regulation Act;

8 (10) Jurisdictional utility means a natural gas public
9 utility subject to the jurisdiction of the commission.
10 Jurisdictional utility does not mean a natural gas public utility
11 which is not subject to the jurisdiction of the commission pursuant
12 to section 66-1803;

13 (11) Natural gas public utility means any city,
14 metropolitan utilities district, corporation, company, individual,
15 or association of persons or their trustees, lessees, or receivers
16 that owns, controls, operates, or manages, except for private use,
17 any equipment, plant, or machinery, or any part thereof, for the
18 conveyance of natural gas through pipelines in or through any part
19 of this state. ~~Natural gas public utility does not mean a natural~~
20 ~~gas utility owned or operated by a city or a metropolitan utilities~~
21 ~~district.~~ Natural gas public utility does not include any activity
22 of an otherwise jurisdictional corporation, company, individual, or
23 association of persons or their trustees, lessees, or receivers as
24 to the marketing or sale of compressed natural gas for end use as
25 motor vehicle fuel. Natural gas public utility does not include
26 any gas gathering system or interstate pipeline;

27 (12) Rate means every compensation, charge, fare, toll,
28 tariff, rental, and classification, or any of them, demanded,

1 observed, charged, or collected by any jurisdictional utility for
2 any service;

3 (13) Rate area means the geographic area within the state
4 served by a single natural gas public utility through a common
5 pipeline system from the same natural gas supply source within the
6 common system for which the utility has similar costs for serving
7 ratepayers of the same class; and

8 (14) Therm is equivalent to one hundred thousand BTUs.

9 Sec. 2. Original section 66-1802, Reissue Revised
10 Statutes of Nebraska, is repealed.